

FISCAL IMPACT STATEMENT ON BILL NO. **S. 1058**

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TO: The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee
FROM: Office of State Budget, Budget and Control Board
ANALYSTS: R.J. Stein, Beth Campbell
DATE: February 2, 2006 SBD: 2006039

AUTHOR: Senator Hutto PRIMARY CODE CITE: 40-71-20
SUBJECT: Confidentiality of Reported Incidents at Licensed Health Care Facilities

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

BILL SUMMARY:

Senate Bill 1058 amends Sections 40-71-20 and 44-30-60 of the Code of Laws of South Carolina, 1976, relating to the confidentiality of information acquired by professional committees, and Section 44-7-315 of the Code of Laws of South Carolina, 1976, relating to the confidentiality of information received by the Department of Health & Environmental Control (DHEC) from licensed health care facilities. The Bill adds a statement in Section 40-71-20 and in Section 44-30-60 declaring that, in spite of the confidential nature of information obtained by professional committees, licensed health care facilities must report all accidents or incidents to DHEC pursuant to regulations. The Bill prohibits DHEC from releasing accident or incident reports or facility records upon written request.

EXPLANATION OF IMPACT:

Department of Health & Environmental Control

The Bill prohibits the release of certain types of information (i.e., incidents and accidents reported by health care facilities). There is no fiscal impact on the Department, the General Fund of the State, or on Federal or Other funds.

Department of Labor, Licensing & Regulation

The Department reports this Bill will have no impact on the General Fund of the State or on Federal and/or Other Funds.

LOCAL GOVERNMENT IMPACT:

None.

SPECIAL NOTES:

The amendment to Section 44-7-315 appears to affect FOIA requests. The Committee may wish to consider amending the appropriate section(s) of the Freedom of Information Act to be consistent with the provisions of this Bill.

Approved by:



Don Addy
Assistant Director, Office of State Budget